IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

WP(C).No. 30686 of 2006(C)

PETITIONER:

K. ARUNDHATHI, MANINILAYAM,
KOOTTIKADA P.O., KOLLAM.

BY ADV. SRI.K.SUBASH CHANDRA BOSE
SRI.V.RAJASEKHARAN PILLAI

RESPONDENTS:

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1. JOINT REGISTRAR, (GENERAL)
CO-OPERATIVE SOCIETY JOINT REGISTRAR
GENERAL OFFICE, KOLLAM.

2. THE ASSISTANT REGISTRAR (GENERAL)
OFFICE OF THE CO-OPERATIVE REGISTRAR,
KOLLAM.

BY GOVERNMENT PLEADER SRI. P.N.SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

W.P.(C). 30686/2006

Dated this 21st day of November, 2006

JUDGMENT

The writ petitioner is before this Court challenging Ext.P6, issued by the Joint Registrar (General), Kollam, declining to grant registration under Section 7 of the Kerala Co-operative Societies Act, 1969, in short 'the Act'.

2. I heard the arguments advanced by the learned counsel for the petitioner and also the counsel for the respondents.

3. Under Section 83(1)(a) of the Act, an appeal shall lie against the order of the Registrar under Sub Section (2) of Section 7, refusing to register a society. As the order was passed under the capacity of the Registrar under sub Section (2), the appeal shall be preferred within sixty days from the date of the order or decision before the Government under Sub Section 2(a) of the Act. Therefore, a writ is not the remedy.

4. The learned counsel for the writ petitioner submit that the writ petitioner would resort to the remedies as per the provisions of the Act and the Rules of the Co-operative Societies and also would cure the defects as had been found by the Registrar, through Ext.P6 order.

5. In the above facts situation, I find that there is no need to pass any further order in this writ petition.

The writ petition is closed as above.

J.M.JAMES
JUDGE

mrcs